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Security Council
Fiftieth Year

Provisional

3536th Meeting
Monday, 15 May 1995, 10.30 a.m.
New York

President:	Mr. Mérimée	(France)
Members:	Argentina	Mr. Cárdenas
	Botswana	Mr. Legwaila
	China	Mr. Wang Xuexian
	Czech Republic	Mr. Kovanda
	Germany	Mr. Henze
	Honduras	Mr. Martínez Blanco
	Indonesia	Mr. Sriwidjaja
	Italy	Mr. Ferrarin
	Nigeria	Mr. Gambari
	Oman	Mr. Al-Khussaiby
	Russian Federation	Mr. Lavrov
	Rwanda	Mr. Ubalijoro
	United Kingdom of Great Britain and Northern Ireland	Sir David Hannay
	United States of America	Mr. Gnehm

Agenda

The situation in the occupied Arab territories

Letter dated 8 May 1995 from the representatives of Morocco and the United Arab Emirates to the United Nations addressed to the President of the Security Council (S/1995/366)

Letter dated 8 May 1995 from the Permanent Representative of Morocco to the United Nations addressed to the President of the Security Council (S/1995/367)

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The meeting was resumed on Monday, 15 May 1995, at 11 a.m.

The President (*interpretation from French*): I should like to inform the Council that I have received letters from the representatives of the Libyan Arab Jamahiriya and Saudi Arabia, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Azwai (Libyan Arab Jamahiriya) and Mr. Allagany (Saudia Arabia) took the places reserved for them at the side of the Council Chamber.

The President (*interpretation from French*): The next speaker is the representative of Qatar. I invite him to take a place at the Council table and to make his statement.

Mr. Al-Ni'mah (Qatar) *(interpretation from Arabic):* I am pleased to extend to you, Sir, my delegation's congratulations on your accession to the presidency of the Security Council for the month of May. I am deeply convinced that your well-known experience and competence will enable the Council to achieve complete success in its consideration of the item on its agenda for this meeting.

I should also like to pay a tribute to your predecessor, His Excellency the Permanent Representative of the Czech Republic, for the strenuous efforts which he made in guiding the Council's work last month and which deserve our great esteem and appreciation.

I should emphasize at the outset that we are participating in this debate because we sincerely wish to see the peace process in the Middle East reach a successful conclusion. We want to work for the culmination of this process in the achievement of its goal, namely, the establishment of a just, lasting and comprehensive peace in the Middle East. If such a peace is to be achieved and maintained, the question of Al-Quds Al-Sharif, the Holy City of Jerusalem, must be solved.

There is a lasting and indisputable historical reality - namely, that Al-Quds, an Arab city, is an integral part of the Palestinian and Arab territory occupied by Israel since 1967.

This is not the first time the Council has met - and it will perhaps not be the last - to consider the question of the Holy City of Jerusalem, as well as the measures adopted by Israel to change the demographic, geographic and urban nature of the City of Al-Quds Al-Sharif, and also to consider the continuing Israeli practices that contravene resolutions of the General Assembly and Security Council - and in particular Security Council resolution 476 (1980). Today, 15 years after the adoption of that resolution, we see that Israel has not respected it, nor any of the other relevant resolutions. In the face of such lack of respect, we wonder where the determination of the Security Council is. What measures must be adopted in accordance with the relevant provisions of the United Nations Charter to ensure full respect for that resolution? We have seen the Security Council apply those provisions to other States that have not respected its resolutions. That is why today we are wondering whether there is not a double standard in the criteria adopted by the Security Council when dealing with international issues, or when dealing with States that are violating resolutions and international norms and rules.

On 13 September 1993, we witnessed a new dawn in relations between the Arabs and Israel in general, and between the Palestinians and Israel in particular, when the Declaration of Principles between the Government of Israel and the Palestine Liberation Organization (PLO) was signed. That Declaration set forth specific measures allowing for a peaceful settlement of the Palestinian-Israeli conflict. In the Declaration, the two parties agreed to defer the negotiations concerning Jerusalem to the second and later stage of the negotiations. They agreed on the establishment of a precise timetable for such negotiations. The Israeli party committed itself to recognizing the importance of Palestinian institutions in the eastern part of Jerusalem and to preserving those institutions during the transitional period. But events have shown us that that party did not respect its commitments, though it had entered into a signed agreement guaranteed by the two States that were sponsors of the peace process in the Middle East. Indeed, the Israeli party adopted measures to confiscate Arab land in Jerusalem and to establish settlements and build housing there for new settlers who had never been residents of the Holy City.

The Israeli authorities also closed off the city and refused access to the Palestinians, who are the legitimate holders to title. Not content with the confiscation of Arab

land in Jerusalem, the Israeli side then went so far as to carry out excavations, which today affect the very foundations of the Al-Aqsa Mosque in the Haram Al-Sharif, as well as the dome of the Church of the Sepulchre and other Islamic Holy Places. In official statements, the State and the Government of Qatar have condemned all these Israeli measures as flagrant violations of United Nations resolutions and of international instruments and rules. They are contrary to the spirit and the letter of the Palestinian-Israeli Declaration of Principles and undermine the Arab-Israeli peace process, thereby further compromising it and dooming it to failure.

At this important stage of the peace process in the Middle East, we call on the Security Council to shoulder its responsibilities as laid down by the United Nations Charter. We therefore urge the Council to adopt categorical and decisive measures and to state firmly that it will not allow Israel to continue violating its resolutions and challenging the international community, and also to forbid Israel to go against the conscience of the world and the world's responsibility to the Holy City of Jerusalem.

We wish to see the Council adopt a binding resolution compelling Israel to reverse its decision to confiscate Arab land, to renounce its plans for establishing settler colonies and to dismantle the settlements already established. Israel must also stop closing the city to its inhabitants and stop all its excavations, that pose a threat to the foundations of the Al-Aqsa mosque. The Council should also insist on the non-recognition of any change made by Israel, as the occupying Power, in the legal status, demographic composition or physical character of the city of Jerusalem. The annexation of the Holy City of Jerusalem, particularly East Jerusalem, and Israel's proclamation of Jerusalem as its capital must be resolutely rejected as flagrant violations of international resolutions and the norms of international law.

The content of the draft resolution before the Council is based on the decision taken by the Ministerial Council of the Arab League at its special session, on 6 May 1995. It is intended to guarantee the continuation of the peace process and the attainment of the goals established on the basis of international legality, Security Council resolutions 252 (1968), 267 (1969), 465 (1980), 476 (1980) and 478 (1980) and the relevant resolutions of the General Assembly and the United Nations Educational, Scientific and Cultural Organization.

The draft resolution before the Council is based on the need to adopt security measures to protect Palestinian Arab land, both private and public, by underlining that the Council must take into account the unique status of the city of Jerusalem. We call upon the members of the Council to vote in favour of the draft resolution, and we are convinced that the Security Council is in a position to shoulder its responsibilities and adopt the measures we are counting on to cope with this threat.

This is necessary because the measures taken by Israel will end up sabotaging the peace process. If we do not take matters in hand, the flames will continue to blaze until the peace process fails. The Council would be neglecting its duties if it did not adopt this draft resolution. The Council must make the necessary efforts to support Member States.

Today we call upon members of the Security Council to stand in opposition to all those measures that are contrary to international agreements confirmed by international will. The Council should heed that will and not shrink from its task. It must not procrastinate or ignore its commitments to its great mission. Today's events are far too serious. The Council must head off the process that is under way and reaffirm the will, the right and the aspirations of all States.

We believed that, thanks to the good offices of all sides, we could see a glimmer of hope in the Middle East. We must see to it that that hope is not extinguished. Would it not be better for us to inject some confidence into peaceful intentions so that they can grow? Should not the proponents of peace continue to work towards overcoming all obstacles? Should they not tend to the peace process so that the seeds of peace planted by international will can flower into a just and lasting peace in the Middle East?

One may wish not to listen, but one cannot be deaf to the facts. God himself made the Holy City of Jerusalem the guardian of the secret of His call - a call that reveals to the believer the secret of His existence and to the believer's conscience the secret of the Creator. God imbued Jerusalem with the essence of its eternity. Everything had its beginning in Jerusalem. From Jerusalem sprang faith. There we have seen the human soul rid itself of all impurities and rise up. We have seen it cleansed of all impurities. If we allow it to rise even higher, it can lead us to absolute goodness and serve as a symbol of our greatest values and purity itself.

The city of Jerusalem has for centuries welcomed prophets and apostles. Peace be with them, one and all.

Jerusalem, a city created by God, is an integral whole. It has always been a pearl. From the very beginning God made it a place for goodness. All the prophets passed through Jerusalem. From Jerusalem cries rose up to God. Jerusalem reached its objective. It became a reality, not an illusion. God made it one of the two kiblahs. It is a torch of piety. From Jerusalem the word of God issued. That reality will continue to endure, despite all the lies told about it.

Jerusalem has always been a sacred symbol. This is a reality that will continue to resound in the conscience of all Muslims as long as they live. That reality will continue to live and to resound like the vibrant voice of the Muzzein.

The Holy City of Jerusalem is a city of peace. How shall we make peace without Jerusalem?

The President (*interpretation from French*): I thank the representative of Qatar for the kind words he addressed to me.

The next speaker is the representative of the Islamic Republic of Iran. I invite him to take a place at the Council table and to make his statement.

Mr. Khoshroo (Islamic Republic of Iran): Let me first congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of May. I would also like to pay a tribute to the Permanent Representative of the Czech Republic for the excellent manner in which he guided the work of the Security Council last month.

The issue for the discussion of which the Council has been asked to convene this meeting is not the first abhorrent practice of the Israeli regime, nor will it be the last one. The recent Israeli decision to confiscate areas of the holy Quds should be considered in the broad context of Israeli policies towards all occupied territories. The Zionist regime decided long ago to change the demographic characteristic of the occupied territories. To achieve this objective, Israel has spared no effort in expanding illegal settlements in Palestine and uprooting the Palestinian people from their homes.

What makes the latest heinous decision of the Israeli regime even more acute and, indeed, painful is the violation of the holy status of Quds, which has been honoured by the followers of the great divine religions for centuries. The land of the holy Quds has been enduring harmful actions by the Zionist occupation for decades. Now, the recent Israeli decision is aimed at perpetuating this suffering, unless the occupying Power is stopped. The Security Council's responsibility to prevent the Israeli regime from further destabilizing the situation in the region is crystal clear. The Security Council should deal effectively with continued Israeli threats to peace and security in the region. It is indeed unfortunate that the supporters of the Zionist regime, especially those within the Council, are even trying to bar the Council from taking the slightest step to prevent Israel's violations of international law.

The fact is that the holy Quds, with its Islamic-Arabic characteristic, is the legitimate and recognized capital of a Palestinian State. Those who, like the Israeli regime, disregard this fact indeed misuse peace as a shield and a pretext for their own agenda. In fact, the recent decision of the Zionist regime reveals once again the real intention of that regime and of its agenda in the current process.

Less than three months ago, the Security Council met to consider the dangerous situation in the occupied territories arising from the Israeli violations of international law. The result of that meeting was quite frustrating. The Council merely decided to remain seized of the matter. The result of this meeting as well as the future meetings on the subject will also be frustrating if the Council decides to do the same thing or to act in a manner that fails to protect the people of Palestine against continuous oppression and occupation of their homeland.

The President (*interpretation from French*): I thank the representative of the Islamic Republic of Iran for the kind words he addressed to me.

The next speaker is the representative of Tunisia. I invite him to take a place at the Council table and to make his statement.

Mr. Abdellah (Tunisia) (*interpretation from Arabic*): I am pleased at the outset to extend to you, Sir, my warmest congratulations on your assumption of the presidency of the Security Council for this month - all the more because you represent a country that has long-standing friendly relations with Tunisia. Your talents and experience are the best guarantee for us that the Council's work will be successful this month.

I wish also to pay a tribute to your predecessor as President, Ambassador Karel Kovenka of the Czech

Republic, for the wisdom with which he guided the Council's work last month.

The Council is holding an emergency meeting today to discuss once again the Israeli practices in the occupied Palestinian territories and, in particular, the risks faced by Jerusalem as a result of the recent Israeli Cabinet decision to expropriate Palestinian land and establish settlements on it.

Since it occupied Jerusalem in 1967, Israel has adopted a policy of Judaizing the city, changing its characteristics, expropriating Palestinian land, forcing the Arabs to leave their land and their property, preventing them from engaging in any construction, imposing high taxes on them and not allowing them to enter the city. At the same time, the settlers are being encouraged to live in East Jerusalem on land given to them free and in housing sold to them at token prices.

Moreover, Israel has carried out some excavations under the Al-Aqsa mosque under the pretext of looking for the Temple of Solomon. These excavactions endanger the structure of this holy mosque.

An Israeli Cabinet Minister has admitted that the Israeli Government has expropriated since 1967 no fewer than 2,300 hectares of land in East Jerusalem, on which some 35,000 housing units have been built for settlers.

These Israeli policies and practices confirm Israel's intentions to carry out its plan for "Greater Jerusalem" - which means the total Judaization of the city. The latest decision to expropriate more Palestinian land is just another phase of that plan, designed to eliminate the Palestinian entity, usurp Palestinian Arab rights in this Holy City and separate Jerusalem completely from the rest of the West Bank.

Here I should like to affirm the following points.

Firstly, the Israeli decision is in total contradiction with the principles and foundations of international law. It is also a blatant violation of the relevant Security Council resolutions and of the Fourth Geneva Convention of 1949 Relative to the Protection of Civilian Persons in Time of War.

Secondly, this decision is a grave threat to the peace process that was launched in Madrid on the basis of Security Council resolutions 242 (1967) and 338 (1973) and the principle of land for peace.

Thirdly, this decision is in contradiction with the understanding reached at Oslo, specifically, with the commitment not to undertake any change in Jerusalem's status until there is a final agreement on that status under the agreed agenda. Any decision on the future of Jerusalem before these negotiations are concluded is essentially invalid.

Fourthly, the question of Jerusalem is a serious matter of concern not only to the Palestinian people and the parties to the peace process; rather, it surpasses them to include the Middle East and the Islamic nation as a whole, because Jerusalem has a very special place in Islamic hagiology. God Himself made it the first kiblah and third holiest shrine, and anything that brings hurt to Jerusalem cannot but cause outrage and anger.

The Tunisian Government, in a statement adopted on 7 May 1995, expressed its grave concern at the Israeli decision to expropriate yet more Palestinian, Arab territory in East Jerusalem. It deplored this action, which is in total contradiction with United Nations resolutions on occupied Jerusalem and with the Declaration of Principles between Palestine and Israel, not to mention Israel's own commitments in this respect. Members of the Council will remember well the commitments made by the Israeli Foreign Minister here in the United Nations just a few weeks ago to the effect that Israel would stop, finally and completely, expropriating Arab territories. In just a few weeks, we have seen the reverse of that pledge come true, and now the Israeli Cabinet, before the general outcry from international public opinion, is yet again making yet another commitment that will just be forgotten as soon as the storm is past.

Tunisia, which has given the peace process its blessing ever since the Madrid Conference and is committed to contributing to it in such a way as to guarantee legitimate Palestinian and Arab rights, calls upon the international community to adopt a firm stance on this issue in order to avoid a collapse of the peace process. We should like to direct attention to the dangers inherent in Israel's continued defiance of General Assembly and Security Council resolutions, and repeat once again that there will be no success in establishing the foundations for a comprehensive, just and lasting peace in the Middle East if the peace process does not include as principal objectives the recognition of all legitimate Palestinian rights, the withdrawal by Israel from all Palestinian Arab occupied territories, including Jerusalem, and creation of a climate of confidence and good faith.

We therefore call upon the international community in general and the Security Council in particular to demand that Israel show proof of a real desire to make the peace process succeed. The peace process needs Israel to act more responsibly and abandon mulish intransigence.

The Security Council must reaffirm its resolutions on Jerusalem and not recognize the changes made by Israel in its *de jure* situation and demographic structure. It must call upon the Israeli Government to rescind its latest expropriation decision. The United States and the Russian Federation, the sponsors of the Peace Conference, should assume special responsibility by taking a firm stance and bringing pressure to bear so as to prevail upon Israel to rescind its decision so that the peace process can succeed and have as its outcome a comprehensive, just and lasting peace in the Middle East.

Mr. Thanarajasingam (Malaysia): Mr. President, at the outset let me congratulate you on your assumption of the presidency of the Council for this month and also convey our appreciation to your predecessor.

The recent action by the Israeli Government to confiscate 53 hectares of Palestinian land within the area of illegally annexed East Jerusalem is not only provocative but highly dangerous: it will exacerbate the volatile situation and play into the hands of the extremists and bigots determined to wreck the nascent and fragile peace process in the region.

The action to confiscate 53 hectares and the projected plans to confiscate yet another 440 hectares are in flagrant violation of international humanitarian law, the relevant Security Council resolutions and the Declaration of Principles on Interim Self-Government Arrangements signed on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization. It begs the question of the motivation behind such actions, of whether there is a grand design based on quasi-religious claims to bring about a *fait accompli* and pre-empt the outcome of the negotiations on the final status of Jerusalem.

The status of Jerusalem is arguably the most intractable issue in the peace process. Attempts at the Judaization of the city must be strongly resisted by the international community. The Malaysian delegation does not accept the spurious contention that this issue should be resolved between the two parties under the existing agreement as the Israeli side is in effect promoting a *fait accompli* and as the Security Council continues to have responsibility for and a role in the all-embracing subject of the Middle East and the prospects for peace.

Malaysia is also deeply disturbed by various practices perpetrated by Israeli settlers against Islamic holy places in the city of Al-Quds Al-Sharif. These activities have created great consternation and deep apprehension within the Ummah.

Nor will peace be served by the continued illegal practices and policies of the Israeli Government in pursuing its settlement policy in the occupied territories. Recent statistics indicate that the settler population of the West Bank and Gaza Strip has increased by 28,000, from 112,000 to 140,000, while that of Jerusalem has grown by 22,000, from 148,000 to 170,000. This represents an overall increase in the number of settles of 50,000, or about 20 per cent since July 1992. It is alarming to note that the settler population has increased at a faster rate than the population of Israel itself.

The Security Council should take urgent steps to deal with this extremely serious situation, to put an end to the numerous Israeli violations, particularly in East Jerusalem, and to take the necessary measures for revocation of the Israeli confiscation orders.

At the same time, my delegation calls on the sponsors of the peace process to shoulder their responsibilities and exercise pressure on Israel to immediately discontinue its confiscation of Palestinian land and to put an end to the serious violations perpetrated by groups of Israeli settlers in the form of daily acts of violation against Islamic and Christian shrines.

The Malaysian delegation recalls that the Government of the United States of America, in its capacity as a sponsor of the peace process, also gave the Palestinians, assurances on Jerusalem. In this regard, the United States letter of assurances, dated 24 October 1991, stated the following:

> "The United States is opposed to the Israeli annexation of East Jerusalem and the extension of Israeli law on it and the extension of Jerusalem's municipal boundaries. We encourage all sides to avoid unilateral acts that would exacerbate local tensions or make negotiations more difficult or pre-empt their final outcome."

The United States should do all it can to honour the spirit and substance of its own letter.

The Malaysian delegation is also concerned over efforts that could undermine the status of Jerusalem through action to recognize Jerusalem as the capital of Israel.

The successful continuation of the peace process will very much depend on the commitment and willingness of both parties with respect to the implementation of all the provisions on which they have agreed. At this critical if not explosive juncture, every effort must be made to eliminate the climate of distrust and suspicion; this is vital for the success of the peace process. Unilateral acts such as the one being committed in Jerusalem push tension to a critical level and make negotiations even more difficult.

Throughout the Islamic world, any attempt to undermine the status of Jerusalem, one of the most revered spiritual abodes of Islam, will be totally resisted in every way by Governments and peoples.

The President (*interpretation from French*): I thank the representative of Malaysia for the kind words he addressed to me.

The next speaker is the representative of Jordan. I invite him to take a place at the Council table and to make his statement.

Mr. Abu Odeh (Jordan) (*interpretation from Arabic*): Let me begin, Sir, by congratulating you on your assumption of the presidency of the Security Council for this month and by expressing my country's full confidence that you will guide the Council's work in such a way as to guarantee its success.

I take this opportunity also to express my delegation's respect for your predecessor, His Excellency Ambassador Karel Kovanda of the Czech Republic, who guided the Council's work so skilfully last month.

I thank you, Mr. President, for convening this meeting to discuss the threat to peace and stability and to the peace process arising from the Israeli Government's recent decision to confiscate additional Palestinian lands in Jerusalem and to build settlements on them. As we participate in the discussion, we reaffirm our strong beliefs: Jordan is participating because it is genuinely dedicated to peace and does not wish to destabilize that peace or call it into question. In fact, only seven months ago Jordan signed a peace treaty with Israel, and is today working with Israel to implement its provisions, through measures that have already been adopted, measures that are now being adopted and through agreements on cooperation between our two countries.

Members of the Council know that the Madrid Peace Conference, the ensuing negotiations, the Declaration of Principles signed by the Palestine Liberation Organization and Israel in September 1993 and the peace treaty signed by Jordan and Israel in October 1994 all came about with the blessing and the support of the United Nations. Moreover, the United Nations has always attached great importance also to relations between Lebanon and Israel and between Syria and Israel; it continues to declare its commitment to the success of those two processes, especially since hope has arisen among the peoples of the world that the Middle East will soon achieve the peace and stability that it has lacked for decades.

In Jordan's view, peace must be comprehensive, just and lasting. This concept accords with the United Nations concept of the peace we hope to see in the Middle East and with the stated Israeli concept of that peace. Yet it is clearly a grave event that has obliged Arab and Islamic States to bring the question of Jerusalem to the Security Council, even as the peace process that began in Madrid continues.

What is at stake here? In February the Security Council met to discuss Israeli violations of the Fourth Geneva Convention of 1949 because the Israeli Government was continuing its policy of establishing settlements on Palestinian territory. Unfortunately, the Council was unable then to adopt an appropriate resolution and limited itself to a discussion. Less than three months later the Council is meeting again, compelled to discuss similar violations by the same party. But what is new this time is that this violation of the Fourth Geneva Convention is taking place in Jerusalem.

The Council will be aware that this is not the Israeli Government's first violation of international law in Jerusalem. Indeed, since Israel's illegal 1967 occupation and annexation of Jerusalem, the Israeli Government has persisted in the Judaization of the city. This Judaization takes the form of confiscating Palestinian lands, of tightening the noose around the Palestinian population, of establishing settlements and residential areas, and of relocating Israeli settlers to those settlements and areas,

not to mention the Israeli Government's excavations in the precincts of the Al-Aqsa mosque.

Following each such Israeli action, Arab countries have complained to the Security Council; in response to each complaint, the Council has adopted a resolution. This has been going on for some 28 years: Israeli expansion; Arab complaint; Security Council resolution. The Council's resolutions attest not only to Israel's violations of the Fourth Geneva Convention, but also to Israel's stubborn persistence in its policy of the Judaization of Al-Quds Al-Sharif and its determination to continue such violations.

To be fair to Israel, it must be recognized that it does not conceal its ultimate goal — hence the continued violations. Successive Israeli Governments have always stated that the Holy City of Jerusalem, above all its eastern part, is a part of "Yerushalaim, the eternal and united capital of the State of Israel".

The confiscation of Palestinian land there has gone beyond the question of individuals or individual rights. At stake is the very future of Al-Quds Al-Sharif. This is an international issue. The situation is therefore clear. There is an occupying authority which knows that the annexation of the eastern part of Jerusalem is legally null and void and is therefore trying to create a new reality on that land which reflects the Jewish nature of the city. Moreover, all the declarations of the municipality of Jerusalem regarding the developments in the numbers of Israeli and Palestinian residents of the city are merely periodic summaries of the progress Israel has made in the its Judaization of that city, with the aim of implementing its stated final goal of integrating the eastern part of Jerusalem into "Yerushalaim, the eternal capital of the State of Israel".

Does the plan for implementing that objective accord with the wishes of the United Nations and Israel's statements, as well as with the principles to which the Palestinian party is dedicated and the aspirations of those Arab States that have signed peace treaties with Israel or other Arab States that are continuing to negotiate with it? Has that ultimate goal — the achievement of a just, lasting and comprehensive peace — been implemented? I sincerely doubt it, as I doubt that the peace can be a lasting one.

Indeed, Jerusalem represents the same thing to Arabs and Muslims as it does to Israelis and Israel. It is not merely a question of land and population: it is also a question of beliefs. Because of this particular and unique blend, the city has, in the collective consciousness of Arabs and Muslims, become an integral part of their personality, dignity, heritage and culture. Thus, how can we envisage the achievement of a lasting peace — and I insist on the word "lasting" — when the dignity of the nation is flouted and its legacy cut off? How can we establish natural and normal relations between Arab countries and the Israeli people in the present circumstances? A peace based on such an imbalance can only be an armistice. History is replete with such examples, including the history of our region, which is sincerely and genuinely trying to establish a lasting peace.

How can one leave the solution to a problem such as that of eastern Jerusalem to the whims of politicians whose sole aim is to be re-elected for four more years rather than to dedicate themselves to their national interests and the peace and security of their people? If we were to accept that, then it would be better to deplore peace than to glorify it. If we were to do that, we would not in fact be achieving peace: we would be limiting ourselves to empty words.

Of course, I would have preferred not to go into historical and cultural details concerning Jerusalem, but the statements of the Permanent Representative of Israel at this meeting have compelled me to do so. There are Jewish psalms and songs glorifying Jerusalem, but there are also dozens of Arab poems and songs which do the same thing. Moreover, it is well known that the Al-Aqsa mosque and its surroundings — namely Jerusalem — are mentioned in the Koran and the Hadith. For those here who are unaware of it, the verses of the Koran represent the words of God Almighty and not remarks made by historians or folklore handed down by storytellers.

As for the attempt of our Israeli colleague to convince us that Jerusalem can only be Jewish because there has been a continuous Jewish presence there for 3,000 years and because the city has only been the capital of the Jews — this is not true. Indeed, the Jewish presence in the city has not been maintained continuously for 3,000 years. Quite the contrary, that presence was interrupted by the exile in Babylon, for example, and by the Byzantine domination of the city. When the gates of Jerusalem were opened by the Caliph Omar Bin Al-Khatab during the first half of the seventh century, we know that one of the demands made of the Muslims by the Orthodox Patriarch Saphronius was to prevent the Jews from living in Jerusalem. The aim of the Patriarch in making that demand was to ensure that the Muslims would maintain the Byzantine policy of keeping the Jews outside the city.

In the light of this debate, it is paradoxical that today it is the Muslims themselves who have allowed the Jews to reside in Jerusalem. When the eleventh century Kingdom of Jerusalem was established, there were no Muslims and Jews left in the city except those very few who had escaped the massacres perpetrated by the Crusaders and had accepted menial jobs in order to survive.

Thus, Jerusalem was the capital of the Jews for less than 100 years, before the rule of the Greeks and Romans and the emergence of Christianity.

Why did the Muslims never make the city a capital when it was under their domination for nearly 1,200 years, with the obvious exception of the era of the Crusades and the time of the British Mandate over Palestine after the First World War? Why was it never the Muslim capital? Up to this very day, the Muslims have never even declared Mecca to be a capital. We know, for example, that Riyadh, and not the Holy City of Mecca — where Mohammed, the Prophet of Islam, was born — is the capital of Saudi Arabia. It is there that his first revelation was granted him. The city of Mecca is the location of the Kaaba, the Holy City to which all Muslims direct their prayers, wherever they may be across the globe. It is there that they carry out their pilgrimage, regardless of their race or colour. They carry out the *umra* throughout the year. The Prophet himself did not make the Holy City of Mecca a capital even after he had conquered it, nor did the four Well-Guided Caliphs, who came after him. The Muslims, therefore, did not make Jerusalem their capital. The famous Muslim leader Amr Bin Alas, who reigned over southern and central Palestine after the departure of the Byzantines in the seventh century, chose the city of Lod, one day's horseback ride from Jerusalem, as the administrative centre of his region. He did not choose Jerusalem.

The Umayyads later also moved the administrative centre to Ramallah, which is very close to Lod. They did not choose Jerusalem. However, they were the ones who created the Dome of the Rock and the Mosque itself, which today is a historical monument in East Jerusalem.

Would it not have been easier to choose Jerusalem as the administrative centre rather than Lod or Ramallah? Nothing prevented them from doing so except one very important thing: their acute feeling for and perfect understanding of the need to keep the political and administrative centre of the State away from the Holy Places, which are visited by pilgrims from both within and outside the region. One might, of course, have hoped that today's politicians would have achieved that level of understanding.

I say this not to deny the attachment of the Jews to Jerusalem but rather to suggest that Muslim and Christian Arabs were perhaps even more attached to the city. The concept of exclusivity is a very serious one, for it hinders the achievement of a balanced solution to the question of Jerusalem in both its political and religious aspects. Such a solution is possible, and it is crucial. Having the Israeli capital in West Jerusalem and the Palestinian capital in East Jerusalem is a problem that can be resolved. Indeed, Jerusalem is the key to a lasting peace and to the achievement of a just and balanced solution.

Between 1948, when the State of Israel was established, and 1967, when Israel occupied East Jerusalem by force, the Israelis had sovereignty over West Jerusalem and the Arabs over East Jerusalem, including the Holy Places of the three revealed religions, one of which is the Wall. Since peace did not prevail at the time in the region, the Israelis were prevented from visiting the Wailing Wall, just as the Arab Christians could not visit the city of Nazareth in Israel. This also means that political sovereignty was not a problem: there was Israeli sovereignty over the West and Arab sovereignty over the East political sovereignty was thus not restricted to one party to the exclusion of the other: each side had inclusive, not exclusive, sovereignty.

But today, we see Israel trying to annex East Jerusalem and to make Yerushalaim the united capital of Israel. This is an attempt to reverse the course of events and to revert to the situation as it was before the war of 1967 in order to make political sovereignty over Yerushalaim and East Al-Quds exclusive while keeping the non-Jewish Holy Places inaccessible to Arabs. This is exactly the situation pre-1967. Just as that situation was unbalanced, so is the one now: the only difference is that the imbalance then resulted from the state of war, while today Israel itself is contributing to it — even now there is peace.

How then can we achieve the peace we desire when peace alone is still not enough? The Palestinian and Israeli negotiators decided in Oslo to defer discussions on the status of Jerusalem to a later stage. We believed that this could be done and were very hopeful that a just and balanced solution to all questions, including that of Jerusalem, could be achieved. We believed that the question had been deferred because of its complexity and that confidence would be created between the two parties

in order to achieve a balanced solution. We would never have believed that the Declaration of Principles could be transformed into a wall that some could hide behind while others threatened it by threatening the peace process itself. And we never would have believed that deferring the question of Jerusalem could be an opportunity for Israel to continue to Judaize East Jerusalem by imposing a *fait accompli* on the Palestinians, the Arabs and the world until such time as the question is ultimately debated.

In this light, I believe that this meeting of the Council is extremely important, for a very serious problem is at stake. It has its origins in the Israeli measure, which threatens peace and security in the Middle East because it contravenes Security Council resolution 242 (1967) — the very basis of the peace process that is under way — and other relevant resolutions of the Security Council. This measure also violates the Fourth Geneva Convention of 1949 in its most sensitive aspects and distort the spirit and the letter of the Oslo agreements.

Finally, out of respect to the obligations that you, Sir, are shouldering in this Council under the provisions of the Charter and given the policy of preventive diplomacy adopted by the international community, to avoid friction that might strike sparks and touch off a conflagration in the region and to express our wish that the present negotiations culminate in a comprehensive, lasting and genuine peace, my delegation hopes that this Council will fully shoulder all its responsibilities and will adopt and implement the draft resolution before it.

The President (*interpretation from French*): I thank the representative of Jordan for his kind words addressed to me. The next speaker is the representative of Turkey. I invite him to take a place at the Council table and to make his statement.

Mr. Batu (Turkey): It gives me great pleasure to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of May. We are confident that, under your able guidance, the Council will successfully carry out its responsibilities. I should also like to pay tribute to Ambassador Kovanda of the Czech Republic for his capable and skilful work as President of the Council in April.

In the historic Declaration of Principles, which raised hopes for and great expectations of a new era in the Middle East, the two parties agreed that negotiations on permanent status, including Jerusalem, would commence later, the implication being that the status quo would remain unchanged in the meantime. Therefore, the latest action taken by the Israeli Government with regard to Jerusalem — namely, the decision to confiscate 53 hectares of land situated in the area of East Jerusalem and its announcement that this land would be allocated for the continued building of Israeli settlements — contravenes the spirit of the Declaration of Principles.

This recent action also violates the relevant Security Council resolutions and the Fourth Geneva Convention, of 1949. Moreover, it is a negative move towards prejudging the outcome of future negotiations at a time when Israel is expected to engage in confidence-building measures in support of the peace process.

Such acts obviously pre-empt the ongoing negotiations and complicate the existing issues related to settlers, settlements, the status of Jerusalem, and the overall Middle East peace process. On the other hand, the sensitive issue of Jerusalem, the Holy City, with its dual political and religious dimensions, requires a careful and rational approach as well as patience and wisdom and action that is not based on sentiment. Any attempt to change Jerusalem's geographical, demographic or legal conditions would pose a serious threat to the entire peace process.

We believe that a positive step to put an end to this situation would guarantee the successful progression of the process towards the achievement of a just and lasting peace in the region.

We therefore call upon the Israeli Government to rescind the declared confiscation orders and to refrain from taking any such steps in the future. We also urge the parties to reaffirm their willingness to see the peace process currently under way continued, at this very critical juncture. The great hopes generated by the historic agreement should not be allowed to give way to despair.

The President (*interpretation from French*): I thank the representative of Turkey for his kind words addressed to me.

The next speaker is the representative of Canada. I invite him to take a place at the Council table and to make his statement.

Mr. Fowler (Canada) *(interpretation from French):* Allow me to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month

of May and to thank your predecessor, Ambassador Kovanda, for his effective leadership during the month of April.

Canada strongly supports the Middle East peace process. We greatly admire the vision, courage and sense of initiative of those who, like Israeli Prime Minister Rabin, Chairman Arafat and King Hussein, have taken such risks for peace. Dramatic successes have been achieved in the past three years.

Efforts to establish lasting peace are currently at a difficult and delicate stage. It cannot be in the interest of anyone, except those hostile to peace, to raise doubts about the intentions or good faith of their partners in the negotiations. Great care must be taken to maintain confidence in the peace process to ensure that the negotiations reach their full potential and that Middle East peace becomes an irreversible reality.

(spoke in English)

Canada believes that the recent decision by the Israeli Government to expropriate land in East Jerusalem is extremely unhelpful to the peace process and is contrary to the spirit and intent of the Declaration of Principles agreed by Israel and the Palestine Liberation Organization (PLO). It also contravenes the provisions of the Fourth Geneva Convention, which apply to the entire West Bank including East Jerusalem, and which prohibit changing the demographic balance of or otherwise modifying territories under occupation.

We believe that unilateral acts of expropriation and new construction in settlements undermine the trust that is the very foundation of the peace process. Like many other friends of Israel, Canada calls on the Government of Israel to reconsider its decision to expropriate those lands.

We strongly encourage both Israelis and Palestinians to intensify their efforts to complete the process initiated with the Declaration of Principles, mindful, of course, of each other's legitimate concerns and aspirations. Canada continues to offer its full support for these negotiations, which, we believe, remain the only way forward.

The President (*interpretation from French*): I thank the representative of Canada for his kind words addressed to me.

The next speaker is the representative of Australia. I invite him to take a place at the Council table and to make his statement.

Mr. Butler (Australia): May I begin by saying that it gives us Australians a sense of confidence to see you, Sir, in the high office of the presidency of the Security Council.

The peace process launched in Madrid, and enhanced by the Oslo accords, was never going to be simple. The legacy of four decades of animosity and frequent wars cannot be easily erased. In the Israeli-Palestinian context, there is now a pressing need to generate momentum towards meeting the objectives which were agreed in the Declaration of Principles, so that popular confidence in the ultimate value of the peace process can be reinforced. For, clearly, the building of peace must be directed toward developing a sense of mutual respect and trust between Israelis and Palestinians.

Israel and the Palestine Liberation Organization (PLO) have shown remarkable resilience in persevering with highly difficult negotiations. Both have faced exacting political, social and economic pressures, including determined attempts by opponents of peace to wreck the negotiations. Leaders on both sides deserve commendation, not condemnation, for the bravery they have shown in the pursuit of the goals which they declared for themselves in 1993.

The Australian Government will continue to support those parties which have displayed courage and commitment in the quest for peace since Oslo. We ourselves have an absolute commitment to upholding the right of Israel to live at peace with its neighbours. We also strongly support the right of the Palestinian people to self-determination and, if they so choose, to an independent State as a neighbour of a secure Israel.

In taking a principled stand on those issues, it is incumbent upon Australia to adhere no less firmly to issues of principle in regard to Jerusalem. The Australian Government has long regarded East Jerusalem as a part of the occupied territories. As is well known, we do not recognize either the unilateral declaration in 1968 of Israeli sovereignty over East Jerusalem or the "basic law" of 1980, which proclaimed Jerusalem as Israel's "eternal capital".

The continuing expropriation of land belonging to Palestinians and the expansion of settlements in the occupied territories is contrary to international law. It represents, moreover, a serious impediment to the peace process.

The question of settlements and East Jerusalem is a highly emotional one for Israelis and Palestinians alike. It has a resonance well beyond the immediate region. We would urge the Israeli Government to strengthen the peace process by defusing tension over land expropriation and settlement activity prior to the commencement of formal negotiations on those issues. We would urge both sides to address the issue in good faith, as they have agreed to do in the Declaration of Principles, and in accordance with the timetable envisaged in that document.

Australia believes that agreement on the final status of Jerusalem can be reached only through such negotiations, and in the context of a comprehensive peace in the region. We would be prepared to support any agreement that all the parties concerned may reach which respects and reflects the traditional character of the city and the aspirations of its inhabitants.

The President (*interpretation from French*): I thank the representative of Australia for his kind words addressed to me.

The next speaker is the representative of the Syrian Arab Republic. I invite him to take a place at the Council table and to make his statement.

Mr. Hallak (Syrian Arab Republic) (*interpretation from Arabic*): Allow me at the outset to express to you, Sir, my congratulations on your assumption of the presidency of the Council for this month and to wish you every success. I should also like to pay tribute to your predecessor, Ambassador Kovanda of the Czech Republic, for the exemplary manner in which he conducted the work of the Council last month.

The Security Council is meeting again today to discuss the dangers faced by occupied Jerusalem as a result of the continued settlement policy and practices of Israel, in particular the recent decision by the Israeli Cabinet to expropriate Arab land. This is part of a far-reaching plan aimed at determining in advance the fate of the occupied Arab territories through a policy of imposing a geographic and demographic *fait accompli*. This situation threatens the destiny of the Arabs by isolating them in closed, unviable concentrations of population that depend wholly on the Israeli economy, a process aimed at uprooting the Arab presence from — and usurping Arab rights in — Jerusalem.

The expropriation of Arab land has been one of the mainstays of successive Israeli Governments. It takes various forms through various projects, including the Allon settler project — under which large parts of the West Bank were expropriated — the Greater Jerusalem project, the Galilee project and others that link settlement to security.

Israel has intensified its settlement campaigns in occupied Arab territories using emergency laws, laws for confiscating the property of absentees, laws for land development and others. These are all aimed at expropriating more and more land and expanding the settlement cycle: expansion and settlement are at the core of the Israeli policy.

Present Israeli measures, which include confiscation and the building of settlements in Jerusalem and elsewhere, are in fact a challenge to the international community, to United Nations resolutions and to international law. Since 1967 and in the wake of individual Israeli settlement projects in the occupied Arab territories, the United Nations has reaffirmed the need to halt measures affecting the demographic and geographic makeup of the occupied Arab territories. Many resolutions have been adopted by the United Nations, notably Security Council resolutions 465 (1980) and 476 (1980), which declared all Israeli administrative measures, including settlement, void and in contravention of international law.

The expropriation of Arab land is another piece of evidence that Israeli intentions are not directed towards peace. In consequence, the Security Council must shoulder it responsibility and move swiftly to stop these acts by adopting a resolution that would invalidate expropriations of Arab and Palestinian territory, both inside and outside of Jerusalem, and any other measures in contravention of international law, including violations of the relevant Security Council resolutions or the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949.

We call upon the Council to condemn Israel for its attempt to change the demographic structure and the geographic make-up of Jerusalem. We call upon the Council to demand that Israel stop its settlement programmes and plans, rescind the closure of the city and

halt all excavations threatening the structure of the Al-Aqsa mosque. We also call on it to stress the need to adopt measures to protect the Arab population in the occupied Arab territories, for the changes introduced represent a grave threat to security and stability in the area.

The President (*interpretation from French*): I thank the representative of the Syrian Arab Republic for the kind words he addressed to me.

The next speaker is the representative of Bangladesh. I invite him to take a place at the Council table and to make his statement.

Mr. Rahman (Bangladesh): I warmly congratulate you, Sir, on your assumption of the Presidency of the Council for this month. I also join in the tributes paid to Ambassador Karel Kovanda for so ably chairing the affairs of the Council in April.

Recent developments in East Jerusalem cannot but be a cause for concern for the entire international community. Intense negotiations and considerable sacrifices have shaped the momentum of the Middle East peace process since its inception in Madrid in October 1991, the historic Declaration of Principles of 13 September 1993 and the subsequent implementation agreements. Bangladesh has welcomed and supported this process as a major achievement which, we hope, will ultimately come to fruition. Underpinning this process was respect for provisions inherent in the peace package, resolutions of the Security Council and principles anchored in international law, particularly the Fourth Geneva Convention of 12 August 1949.

Current Israeli actions aimed, *inter alia*, at confiscating 53 hectares of land in East Jerusalem, systematically curtailing Palestinian access to East Jerusalem and conducting excavation works that threaten the foundation of the Al-Aqsa Mosque constitute clear violations not only of the provisions of the peace package but also of long-established principles of international law. The continuance of these actions will surely undermine confidence-building and jeopardize and retard the peace process. We therefore join our voice to the condemnation that has come down on these overt and latent acts of Judaization and the unbridled process of changing the status and demographic character of Al-Quds Al-Sharif, particularly through the illegal expansion of existing settlements.

It is our earnest hope that the Security Council will act urgently and forthrightly to condemn, halt and rescind these illegal actions and prevent their recurrence in the future. We fully support and endorse the draft resolution now before the Council.

The President (*interpretation from French*): I thank the representative of Bangladesh for the kind words he addressed to me.

The next speaker is the representative of Pakistan. I invite him to take a place at the Council table and to make his statement.

Mr. Kamal (Pakistan): On behalf of the delegation of Pakistan, I should like to convey warm congratulations to you, Sir, on your assumption of the presidency of the Security Council for this month and to express our hopes for the successful discharge of your responsibilities.

I should also like to convey my delegation's appreciation to Ambassador Karel Kovanda for the very fine manner in which he presided over the work of the Council last month.

It is with a sense of deep shock and concern that the Government of Pakistan views the recent action of the Israeli Government to confiscate 53 hectares, from East Jerusalem, belonging to Palestinian Arabs and to use this land for Israeli settlement. We fully support the Declaration recently adopted in Bandung by the Committee on Palestine of the Non-Aligned Movement, which states, *inter alia*, that

> "all Israeli practices aimed at changing the status and demographic composition of Jerusalem and the establishment of settlements and expansion of existing settlements are null and void."

The details of the Israeli action and the contemplated action of confiscation of additional hundreds of acres of Palestinian land have been described by the Permanent Observer of Palestine. As has been pointed out by Ambassador Nasser Al-Kidwa, the decisions are in contravention of the Fourth Geneva Convention of 1949 as well as the relevant Security Council resolutions. This action is particularly disturbing as it has a direct bearing on the peace process which had been arrived at through bold and courageous initiatives taken by the Palestinian and Israeli leadership.

The international community has viewed the historic Declaration of Principles as paving the way for a comprehensive, just and lasting peace in the Middle East. The recent Israeli measures are, therefore, in direct contradiction with the spirit of the Declaration. They also contradict the letter of the Declaration, which clearly stated that the permanent status negotiations on the remaining issues, including Jerusalem, would commence as soon as possible, but not later than the beginning of the third year of the interim period.

It is imperative to maintain the present momentum that has been attained in the negotiating process. We share the expectation of the international community that there should be no delay in the implementation of the agreements reached so far, and that provisions of those agreements should be fully complied with by all parties. A sincere and concerted effort needs to be made to achieve peace and stability in Palestine. To achieve this objective, which has for so long defied solution, it is essential that all new settlements should be stopped forthwith. It is only by taking such an obvious and imperative measure that true peace in the Middle East can be achieved.

The Government and the people of Pakistan are incensed at the latest acts of the Israeli Government and call upon it to rescind its decisions which have put the peace process in danger. They also call upon the Security Council to take urgent measures to redress this grave situation as it imperils the peace of the Holy City of Al-Quds Al-Sharif. We firmly believe that the Council has the duty to order the Israeli authorities to reverse the declared confiscation orders and to desist from taking any further illegal measures.

That is why we support the draft resolution before the Security Council.

The President *(interpretation from French)*: I thank the representative of Pakistan for the kind words he addressed to me.

The next speaker is the representative of Cuba. I invite him to take a place at the Council table and to make his statement.

Mr. Rodríguez Parrilla (Cuba)*(interpretation from Spanish)*: We congratulate you, Sir, on your assumption of the presidency, and we wish you full success.

We express our thanks also to the Permanent Representative of the Czech Republic, for the efficient way in which he carried out his functions as President last month.

Pursuant to document S/1995/366, the Security Council has been convened to discuss, once again, the situation in the occupied Arab territories, and particularly in the occupied Palestinian territories.

This new hotbed of tension resulting from the recent orders of the Israeli Government to confiscate Palestinian land in East Jerusalem, however, should not this time give rise to a mere repetition of appeals to the occupying Power. The situation on the ground and the hopes that the Declaration of Principles signed by the Palestine Liberation Organization (PLO) and the Government of Israel would be a basis for a just and lasting peace in the area, enabling the Palestinian people to progress towards the exercise of its inalienable right to self-determination, oblige the Security Council, this time, to adopt firm and serious measures. In my delegation's opinion, failing to do that would amount to sending a wrong message, which, rather than contributing to progress in the peace process, might endanger it — perhaps irreparably.

Despite the aforementioned Declaration of Principles and other steps that we regard as positive in Israel's relations with its neighbours, we must note that the situation in the occupied Palestinian and Arab territories, including the city of Jerusalem, has deteriorated since 1967, because of Israel's failure to comply with its legal responsibilities under, in particular, the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War, and to implement the relevant Security Council resolutions, especially resolutions 242 (1967), 465 (1980), 478 (1980) and 904 (1994), and the relevant General Assembly resolutions, such as resolution 194 (III).

The repressive actions carried out in recent months and the illegal act that has compelled us to meet today seem to show little change in the hostile policy of the occupying Power against the Palestinian people, its property and its internationally recognized, inalienable rights. Continuing such practices could endanger the terms of the agreement on the Declaration of Principles, its timetable, and the peace process itself.

The implementation of the peace process will also continue to be in permanent danger; that is, the process will be jeopardized of Israel's fulfilment of resolution 242 (1967) and its consequent withdrawal from the territories occupied since 1967, as will be its fulfilment

of the Declaration of Principles, under which the parties agreed that the final-status negotiations to resolve the remaining issues, including the question of Jerusalem, would begin as soon as possible and at the latest by the beginning of the third year of the interim period.

The Israeli Government's decision to confiscate 53 hectares of Palestinian land situated in the area of East Jerusalem under the pretext of using it to keep up the process of establishing Israeli settlement is a serious attack on the peace process in the Middle East and prejudges its outcome. Measures such as these and any others aimed at changing the status and the demographic composition of Jerusalem are illegal — indeed, null and void — and violate the fundamental rules of international customary and humanitarian law. Moreover, the decision not only promotes a continuation of the policy of settling the occupied territories, which is one of the greatest dangers facing the peace process today, it would also seem to show that Israel, the occupying Power, has no intention of changing this policy, despite the international community's repeated condemnation of it. The destruction of the Palestinian people's economic infrastructure and the hamstringing of its efforts towards peace, reconstruction and development are also an affront to the United Nations and the Security Council in their responsibility in terms of the question of Palestine.

The Government of the Republic of Cuba deplores the recent actions by the Israeli Government, which are in flagrant violation of the principle of self-determination for the Palestinian people, and hopes that the Security Council will adopt the necessary measures to ensure that they are rescinded and pass the draft resolution from the Group of Arab States on this matter. The future of the peace process in the Middle East, the credibility of the Council's authority in maintaining international peace and security and the realization of the international community expectations for at last achieving a just, lasting and responsible peace in the region to a large extent hang upon it.

The President (*interpretation from French*): I thank the representative of Cuba for his kind words addressed to me.

The next speaker is the representative of Kuwait. I invite him to take a place at the Council table and to make his statement.

Mr. Abulhasan (Kuwait) (*interpretation from Arabic*): On behalf of the delegation of Kuwait, I should like to congratulate you, Mr. President, on your assumption of the presidency of the Council for this month. You have shown that great efficiency and ability are permanent characteristics of your work, and we are confident that the Council will achieve success under your effective leadership.

I should also like to thank your predecessor, Ambassador Kovanda of the Czech Republic, for his presidency of the Council last month.

The countries of the Middle East, indeed the whole world, had great hopes when the peace process that was launched in Madrid began to bear fruit, in the form of the Israeli-Palestinian and Israeli-Jordanian agreements. The Arab countries were keen to give this long-awaited process every chance of success. Many unprecedented and courageous steps have been taken to promote and entrench this process and not derail it by deviating from its main elements: the principle of land for peace; the relevant Security Council resolutions, particularly resolutions 242 (1967) and 338 (1973); and the principle that comprehensive progress must be made on all tracks. To take anyone of these elements without the others must be considered a setback for the process in that to do so weakens all the results achieved on the other tracks.

The duties and responsibilities of the parties towards and in the peace process are mutual, integral and equal. No party to this process should be allowed to take steps under any pretext that would undermine the agreement at its foundations or in its essence. This meeting of the Council to discuss the confiscation by Israel of land in Al-Quds Al-Sharif is very significant in this respect, because the question at issue in our deliberations here carries within itself very serious accusations directed at Israel in respect of its forcible measures, its lack of respect for Muslim and Arab feelings and its lack of respect for the Declaration of Principles agreed upon with the Palestinian side.

The accusations are, firstly, that Israel is altering the status of Al-Quds Al-Sharif, whereas it had been agreed that Israel would not prejudice the city's demographic or political status and that the final status of the city should be dealt with within the framework provided for in the Israeli-Palestinian Declaration of Principles; secondly, that there has been a resumption in establishing Israeli settlements, whereas establishing such settlements is considered by the Security Council and the General Assembly as illegal, as undermining peace and security and as violating Palestinian territorial, demographic and

political rights; and, thirdly, that the forcible confiscation of land has been conducted in order to make political gain, affect the future status of the city and change its demographic composition.

Kuwait, given its well-known position in respect of the peace process and its support in both words and deeds for the basic principles of the peace agreement, which agreement it regards as a first, important, step in the peace process — for which we wish success on all tracks based on the tenets of justice, equality and international law — calls upon Israel to rescind the confiscation orders and to desist henceforth from its illegal confiscation of Arab lands, be they in Al-Quds Al-Sharif or in other occupied Arab territories.

Kuwait believes that the issue of Al-Quds Al-Sharif is in fact the cornerstone of the whole peace process and the continuation thereof.

Israel must not think that the legal, political and demographic status of the city has been resolved in accordance with its wishes. Jerusalem has an international, Muslim, Arab status that cannot be bargained away, involving as it does the deepest, most sensitive feelings of the Muslim and Arab worlds. The Security Council has declared that

> "all ... measures ... taken by Israel which purport to alter the status of Jerusalem ... are invalid". (*resolution 267 (1969), para. 4*)

Kuwait therefore expects the Security Council, whose resolutions constitute the foundations upon which the peace process is built, to take specific measures, calling upon Israel to rescind its order to confiscate lands in Jerusalem for whatever purpose, and reaffirming that any unilateral Israeli action in respect of Jerusalem is invalid and in contravention of the Fourth Geneva Convention of 1949. The Council should furthermore call upon Israel to desist from any action that could damage the climate needed for the peace process to move towards its objectives; it should insist that, at every level, the peace process must be revitalized and not deviate from its foundation in the resolutions of the Security Council and in international law.

Kuwait considers that the Security Council should not allow the Palestinian people to fall victim to frustration and lose their interest in and support for the peace process. Kuwait also believes it necessary for peace to prevail in the Middle East, and is doing its best to devote resources to the economic development of the region in the service of security and stability for its inhabitants.

The President (*interpretation from French*): I thank the representative of Kuwait for the kind words he addressed to me.

The next speaker is the representative of Iraq. I invite him to take a place at the Council table and to make his statement.

Mr. Hamdoon (Iraq) (*interpretation from Arabic*): It gives me pleasure, Sir, to congratulate you on your assumption of the presidency of the Security Council for this month. I am confident that your experience and wisdom will enable the Council's work to proceed in the best possible manner. I also congratulate Ambassador Kovanda of the Czech Republic on the way in which he guided the work of the Council last month.

The Security Council is meeting to discuss a very serious issue which, unless dealt with appropriately, will have grave implications for international peace and security. The city of Holy Jerusalem has a special religious and historic significance for the Islamic, Christian and Arab worlds alike. It is, moreover, part of the Arab territories occupied in 1967. Hence, any change in its identity, legal status or demographic composition would constitute disregard for the feelings of the Arab and Islamic nations, defiance of international law, and a violation of the relevant Security Council resolutions and the Fourth Geneva Convention of 1949. The Council should therefore address this matter by adopting an appropriate resolution to put an end to the attempts by the Israeli occupying authorities to alter the identity of the Holy City.

The facts and merits of the attempts and actions by the Israeli occupying authorities to confiscate land and build settlements, aimed at uprooting the Palestinian presence from the Holy City, are now clear to one and all; there is no room for argument or controversy. They place upon the Security Council the responsibility to adopt a resolution affirming the unlawfulness of these attempts to confiscate lands in the Holy City and obliging the occupying authorities to rescind their decisions in that connection, to halt all planned settlement programmes, to end the closure of Holy Jerusalem, and to cease all Israeli excavations that imperil the foundations and structure of the Al-Aqsa mosque.

The Arab and Islamic worlds and all other peace-loving peoples expect the Council now to assume its Charter role and to restore the rights of a people, thus sparing the region and the world a new conflict that would prove no less bitter than the conflicts of the past. Any delay or reluctance on the part of the Security Council in adopting a fair resolution deterring the aggressor could only weaken the Council's credibility; it would do nothing to further the Charter purpose of the maintenance of international peace and security.

The President (*interpretation from French*): I thank the representative of Iraq for the kind words he addressed to me.

The next speaker is the representative of Japan. I invite him to take a place at the Council table and to make his statement.

Mr. Owada (Japan): I am very grateful for this opportunity to express the views of the Government of Japan on this item, to which Japan attaches great importance. Before doing so, however, let me express my pleasure, Sir, at seeing you guiding the work of the Security Council as its President for the month of May. I wish also to take this opportunity to pay tribute to your predecessor, the representative of the Czech Republic, for the admirable manner in which he discharged his grave responsibilities as President of the Council last month.

The Palestinian track of the Middle East peace process is now approaching a crucial phase, particularly as preparations are about to get under way for the elections to the Palestinian Council. At this critical juncture, it is of vital importance that the parties concerned should act with the utmost responsibility and self-restraint so that nothing may stand in the way of resolving the many and difficult challenges that they are faced with. Only if all work together to foster relations of mutual trust and cooperation can peace and security be established throughout the Middle East, and can all the peoples of the region pursue their lives in harmony and tranquillity.

It is precisely from this point of view that Japan cannot help feeling deeply alarmed about the situation created by the recent measures taken by the Israeli authorities in relation to East Jerusalem. Everyone is aware that any question concerning Jerusalem is extremely delicate, particularly since negotiations on the ultimate status of the West Bank and Gaza are to begin a year from this month. Under such circumstances, it is of critical importance that all parties concerned refrain from taking any action that could jeopardize this negotiating process.

A relationship of mutual trust between the Arab and Israeli peoples is the *sine qua non* for any satisfactory settlement of the problems in the Middle East. In this sense, the recent action taken by the authorities of Israel has to be looked on with great concern by the international community. In the worst case, it could irreparably undermine the very foundation of the peace process. Whatever may be the background for this action, it is imperative that Israel recognize the danger inherent in this course and that it be keenly aware of its responsibility to the international community. At the same time, Japan would stress that this action must not trigger a deterioration in the peace process, which is based on the desire of all the parties concerned to consolidate peace throughout the region.

Japan has decided to avail itself of this opportunity once again to urge all parties to renew their commitment to the achievement of a just, lasting and comprehensive peace in the region and to take action towards that end. For its part, Japan has supported the peace process by actively participating in multilateral negotiations and by extending financial assistance to the Palestinian Interim Government. Moreover, it is ready to renew its commitment to engage actively in our joint efforts for the realization of peace in the region. Japan stands ready to redouble its efforts, in cooperation with all the countries involved, to establish a durable peace throughout the Middle East.

The President (*interpretation from French*): I thank the representative of Japan for his kind words addressed to me.

In view of the lateness of the hour and the number of speakers remaining on my list, I intend, with the concurrence of the members of the Council, to suspend the meeting now.

The meeting was suspended at 1 p.m.